
HOUSE BILL 2319

State of Washington

66th Legislature

2020 Regular Session

By Representative Fitzgibbon

Prefiled 01/08/20.

1 AN ACT Relating to the sale of liquor in kegs or containers
2 containing four gallons or more of liquor; and amending RCW
3 66.28.200, 66.28.210, and 66.28.220.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

5 **Sec. 1.** RCW 66.28.200 and 2009 c 373 s 7 are each amended to
6 read as follows:

7 (1) Licensees holding a beer and/or wine restaurant or a tavern
8 license in combination with an off-premises beer and wine retailer's
9 license, licensees holding a spirits, beer, and wine restaurant
10 license with an endorsement issued under RCW 66.24.400(4), and
11 licensees holding a beer and/or wine specialty shop license with an
12 endorsement issued under RCW 66.24.371(1) may sell malt liquor in
13 kegs or other containers capable of holding four gallons or more of
14 liquid. Under a special endorsement from the board, a grocery store
15 licensee may sell malt liquor in containers no larger than five and
16 one-half gallons. The sale of any container holding four gallons or
17 more must comply with the provisions of this section and RCW
18 66.28.210 through 66.28.240.

19 (2) Any person who sells or offers for sale the contents of kegs
20 or other containers containing four gallons or more of malt liquor,
21 or leases kegs or other containers that will hold four gallons of

1 malt liquor, to consumers who are not licensed under chapter 66.24
2 RCW shall do the following for any transaction involving the
3 container:

4 (a) Require the purchaser of the malt liquor to sign a
5 declaration and receipt for the keg or other container or beverage in
6 substantially the form provided in RCW 66.28.220; and

7 ~~((Require the purchaser to provide one piece of
8 identification pursuant to RCW 66.16.040;~~

9 ~~(c) Require the purchaser to sign a sworn statement, under
10 penalty of perjury, that:~~

11 ~~(i) The purchaser is of legal age to purchase, possess, or use
12 malt liquor;~~

13 ~~(ii) The purchaser will not allow any person under the age of
14 twenty-one years to consume the beverage except as provided by RCW
15 66.44.270;~~

16 ~~(iii) The purchaser will not remove, obliterate, or allow to be
17 removed or obliterated, the identification required under RCW
18 66.28.220 to be affixed to the container;~~

19 ~~(d) Require the purchaser to state the particular address where
20 the malt liquor will be consumed, or the particular address where the
21 keg or other container will be physically located; and~~

22 ~~(e) Require the purchaser to maintain a copy of the declaration
23 and receipt next to or adjacent to the keg or other container, in no
24 event a distance greater than five feet, and visible without a
25 physical barrier from the keg, during the time that the keg or other
26 container is in the purchaser's possession or control)) Ensure that
27 the purchaser is age twenty-one or older.~~

28 (3) A violation of this section is a gross misdemeanor.

29 **Sec. 2.** RCW 66.28.210 and 2003 c 53 s 297 are each amended to
30 read as follows:

31 (1) Any person who purchases the contents of kegs or other
32 containers containing four gallons or more of malt liquor, or
33 purchases or leases the container shall:

34 (a) Sign a declaration and receipt for the keg or other container
35 or beverage in substantially the form provided in RCW 66.28.220;

36 ~~(b) ((Provide one piece of identification pursuant to RCW
37 66.16.040;~~

38 ~~(e))) Be of legal age to purchase, possess, or use malt liquor;~~

1 ~~((d))~~ (c) Not allow any person under the age of twenty-one to
2 consume the beverage except as provided by RCW 66.44.270;

3 ~~((e) Not remove, obliterate, or allow to be removed or
4 obliterated, the identification required under rules adopted by the
5 board;~~

6 ~~(f) Not move, keep, or store the keg or its contents, except for
7 transporting to and from the distributor, at any place other than
8 that particular address declared on the receipt and declaration; and~~

9 ~~(g))~~ and

10 (d) Maintain a copy of the declaration and receipt (~~(next to or
11 adjacent to the keg or other container, in no event a distance
12 greater than five feet, and visible without a physical barrier from
13 the keg,))~~ during the time that the keg or other container is in the
14 purchaser's possession or control.

15 (2) A violation of this section is a gross misdemeanor.

16 **Sec. 3.** RCW 66.28.220 and 2007 c 53 s 3 are each amended to read
17 as follows:

18 ~~((1) The board shall adopt rules requiring retail licensees to
19 affix appropriate identification on all containers of four gallons or
20 more of malt liquor for the purpose of tracing the purchasers of such
21 containers. The rules may provide for identification to be done on a
22 statewide basis or on the basis of smaller geographical areas.~~

23 ~~(2))~~ The board shall develop and make available forms for the
24 declaration and receipt required by RCW 66.28.200. The board may
25 charge spirits, beer, and wine restaurant licensees with an
26 endorsement issued under RCW 66.24.400(4) and grocery store licensees
27 for the costs of providing the forms and that money collected for the
28 forms shall be deposited into the liquor revolving fund for use by
29 the board, without further appropriation, to continue to administer
30 the cost of the keg registration program.

31 ~~((3) It is unlawful for any person to sell or offer for sale
32 kegs or other containers containing four gallons or more of malt
33 liquor to consumers who are not licensed under chapter 66.24 RCW if
34 the kegs or containers are not identified in compliance with rules
35 adopted by the board.~~

36 ~~(4) A violation of this section is a gross misdemeanor.))~~

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